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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 WELLS FARGO BANK, N.A., AS
12 TRUSTEE FOR BANC OF AMERICA
MORTGAGE SECURITIES MORTGAGE
13 PASS THRU CERTIFICATES SERIES
2005-3,

Case No.: 2:17-cv-01887-MMD-NJK

14 Plaintiff,

15 vs.

16 THE SPRINGS AT CENTENNIAL RANCH
HOMEOWNERS ASSOCIATION; and SFR
17 INVESTMENTS POOL 1, LLC,

18 Defendants.

ORDER RE: DISPOSITIVE MOTIONS

19 This matter came for hearing on February 13, 2020 on SFR Investments Pool 1, LLC's
20 ("SFR") motion for summary judgment [ECF No. 79], Wells Fargo Bank, N.A.'s ("Wells Fargo")
21 motion for summary judgment [ECF No. 80] and The Springs at Centennial Ranch Homeowners
22 Association's ("Association") motion for summary judgment [ECF No. 78], as well as the
23 respective responses [ECF Nos. 81-84] and replies [ECF Nos. 85-87]. SFR's Motion to Dismiss
24 [ECF No. 61] was not set for hearing but was awaiting decision. The Association filed a joinder
25 [ECF No. 64] to SFR's Motion to Dismiss. The Motion to Dismiss was also dealt with at the
26 hearing. After considering of the pleadings on file and the arguments presented at the hearing, and
27 for all the reasons stated on the record at the hearing held on February 13, 2020, the transcript of
which is incorporated herein by reference, the Court rules as follows:

IT IS HEREBY ORDERED that SFR's Motion for Summary Judgment [ECF No. 79] is **GRANTED**, the Association's Motion for Summary Judgment [ECF No. 78] is **GRANTED**, and Wells Fargo's Motion for Summary Judgment [ECF No. 80] is **DENIED**. Further, SFR's Motion to Dismiss [ECF No. 61] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that the nonjudicial foreclosure sale conducted on July 11, 2012 extinguished all junior interests in the Property, including the deed of trust recorded as Instrument No. 20050118-0001108. As a result, Wells Fargo, its successors or assigns, has no enforceable lien, interest or property right in the real property located at **921 Oceanwood Avenue, North Las Vegas, NV 89086; Parcel No. 124-23-411-010**. The Court further finds that there is no basis to support the lis pendens in this case as Wells Fargo has no existing interest in the Property. The lis pendens recorded against the Property in the Official Records of the Clark County Recorder as Instrument Nos. 20170712-0001437 shall therefore be expunged.

DATED: February 24, 2020


UNITED STATES DISTRICT JUDGE

Submitted by:

Approved as to Form and Content:

Kim Gilbert Ebron

Akerman, LLP

/s/ Jason G. Martinez

/s/ Darren T. Brenner

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